

**ANGEL PLACE
LEVEL 8, 123 PITT STREET
SYDNEY NSW 2000**

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24 March 2023

Mitchell Noble
Head of Planning
Willoughby City Council
31 Victor Street
Chatswood NSW 2057

Dear Mitchell,

DA2022/305 | ADDENDUM STATEMENT OF ENVIRONMENTAL EFFECTS 345 VICTORIA AVENUE, CHATSWOOD

1. INTRODUCTION

This Addendum Statement of Environmental Effects (SEE) has been prepared on behalf of Vicinity Centres in respect to their DA2022/305 for the refurbishment of existing retail areas, installation of new retail facades and awnings, a new commercial/office space on Level 3, construction of two additional levels of car parking and external landscaping works at 345 Victoria Avenue, Chatswood (**the site**). The DA was lodged with Willoughby City Council on 26 September 2022. A Request for Information (RFI) letter was issued by Council on 24 January 2023.

In response to the RFI request a number of minor amendments are proposed to the application as set out below. As such a formal request to amend the DA, in accordance with s37 of the Environmental Planning & Assessment Regulation 2021 accompanies this Addendum SEE.

This Addendum SEE should be read in conjunction with the lodged SEE (dated 26 August 2022) and assesses the additional matters beyond those assessed in the lodged SEE. The following amendments are proposed and assessed in this addendum SEE, have been made in response to Council's RFI and ongoing discussions with Council:

- Inclusion of 5-7 Havilah Street within the site area. The land to which the development application relates is now:
 - 345 Victoria Avenue, Chatswood (Lot 10 DP 1143909), and
 - 5-7 Havilah Street, Chatswood (Lot 2 DP 785149).
- Flooding mitigation measures including a 1.2m high flood retaining wall along an approximately 37m long portion of the south-eastern boundary of 345 Victoria Avenue (at the rear of 1-3 and part 5-7 Havilah Street).
- Replacement of existing garage roller shutter door with a sliding garage door with a 1m high solid panel for flood amelioration at 5-7 Havilah Street.

- GFA on 345 Victoria Avenue has decreased from 90,375m² to 90,106m². As a result, the FSR has decreased from 2.56:1 to 2.55:1 on that site. This is a result of an interrogation of areas to be included or excluded and removal from GFA calculation of void spaces for communal vertical circulation.
- Victoria Avenue entrance has been amended to improve DDA access, and now presents a lower soffit height.
- Minor reduction in car parking numbers from the proposed 2,394 to 2,349. Increase in accessible parking space from 58 spaces to 60 spaces and increase in small car spaces from 182 to 200.
- Minor reduction in size of the new business signage on Victoria Avenue from 15000 x 6000 to 16000 x 4500
- Extensive additional landscape and urban design work to improve the surrounding public domain. It is Vicinity's intention to upgrade the public footpath from building / property boundary to back of kerb along all boundary frontages as shown on the Lat27 drawings.

An assessment of the proposed amendments has been undertaken in this addendum SEE. This letter is accompanied by:

- Appendix A – Consolidated RFI Response
- Appendix B – Amended Architectural Plans
- Appendix C – Amended Landscape Plans
- Appendix D – Amended Landscape Concept Design Report
- Appendix E – Indicative Planting Schedule
- Appendix F – Structural Advice Letter
- Appendix G – Traffic Parking Statement
- Appendix H – Amended Access Report.
- Appendix I – Addendum Flood Modelling Report
- Appendix J – 5-7 Havilah Street Flooding Requirements Memo
- Appendix K – Awning Design Study

2. THE SITE

The site is located at 345 Victoria Avenue, Chatswood which incorporates the Chatswood Chase Shopping Centre, and 5-7 Havilah Street, Chatswood.

Chatswood Chase is a major four level regional shopping centre with main frontages to Archer Street to the west and Victoria Avenue to the south. Vehicle access to the Centre is via Malvern Avenue to the north, Archer Street to the west and Victoria Avenue to the south. Approximately 2,500 car spaces are provided over 9 car parking levels, which are located both above and below ground level and on the existing roof top. A pedestrian access point to the centre is provided from Havilah Street to the east. Other than this pedestrian entrance there is no street level activation of the shopping centre to the Havilah Street frontage.

The centre currently accommodates three major retail tenants, David Jones, Kmart and Coles and is a major employer in the region.

5-7 Havilah Street is currently occupied by a 2 storey commercial building.

The legal description of the site is:

- Lot 10 DP 1143909 (345 Victoria Avenue, Chatswood), and
- Lot 2 DP 785149 (5-7 Havilah Street, Chatswood).

The total area of the proposed site is approximately 36,509m².

Figure 1 Site Aerial



Source: Urbis, 2023

3. DEVELOPMENT HISTORY

3.1. EXISTING DEVELOPMENT APPLICATIONS

Two (2) DAs have been approved in relation to the site. These two DAs also incorporated additional land at 12-14 Malvern Avenue, Chatswood (Lot 100 in Deposited Plan 776231) and 5-7 Havilah Street, Chatswood (Lot 2 in Deposited Plan 785149). These two additional sites, while relevant to the future of Chatswood Chase Shopping Centre, are not subject of changes under this DA.

DA-2017/503 was lodged on 21 December 2017 and subsequently approved on 7 June 2019. It involved the demolition of 2 commercial buildings, reconstruction and expansion of Chatswood Chase for additional retail areas. It also included additional minor works relating to increase in car parking areas and car parking improvements, landscaping improvements and external presentation improvements.

DA-2019/200 was lodged on 19 July 2019 to amend DA-2017/503 and was subsequently approved on 19 February 2020. It involved amendments to the design and layout of the centre, including reducing overall building bulk and GFA, amendments to car parking layout, extension of the building footprint and amendments to the landscape strategy.

Neither DA 2017/503 nor DA 2019/200 have been commenced.

3.2. CURRENT DA – DA2022/305

The current DA 2022/305 was lodged with Council on 26 September 2022. The DA sought consent for:

- New retail facades and awnings on the ground floor fronting Victoria Avenue, Havilah Street and Archer Street.
- Additional façade openings provided on the upper levels fronting Victoria Avenue.
- Reduced car parking area on Level 3.
- Construction of a new commercial/office space at Level 3.
- Construction of end of trip facilities on ground level car parking area.
- Construction of 2 additional levels of car parking above the existing multi-level car park deck at the north-eastern corner of the site. Overall, there will be a reduction in car parking by 47 spaces.
- Internal reconfiguration and refurbishment of the Ground floor to Level 2 retail floors.
- Two new signage zones on Victoria Avenue and Archer Street.
- External landscaping works, including footpath upgrades surrounding the site.
- Amended retail centre trading hours with proposed operation 6am – midnight 7 days per week. Commercial / office trading hours between 8am and 6pm with restricted 24/7 access for tenants.
- Increase in GFA from 69,995m² to 90,375m².

The estimated cost of development is \$210,529,000 and a cost summary report was included with the original submission of the DA.

4. AMENDMENTS TO DA2022/305

Following lodgement of the DA on 26 September 2022, an RFI letter was issued by Council on 24 January 2023. The RFI identified additional information including signage details, parking, urban design, landscaping and stormwater and flooding would be required to progress the DA. In response to the RFI, the proposal has made the following amendments:

- Inclusion of 5-7 Havilah Street within the development site area.
- Flooding mitigation measures including a 1.2m high flood retaining wall along an approximately 37m long portion of the south-eastern boundary of 345 Victoria Avenue (at the rear of 1-3 and part 5-7 Havilah Street).
- Replacement of existing garage roller shutter door with a sliding garage door with a 1m high solid panel for flood amelioration at 5-7 Havilah Street.
- GFA on 345 Victoria Avenue has decreased from 90,375m² to 90,106m². As a result, the FSR has decreased from 2.56:1 to 2.55:1 on that site. This is a result of an interrogation of areas to be included or excluded and removal from GFA calculation of void spaces for communal vertical circulation.
- Victoria Avenue entrance has been amended to improve DDA access, and now presents a lower soffit height.
- Minor reduction in car parking numbers from the proposed 2,394 to 2,349. Increase in accessible parking space from 58 spaces to 60 spaces and increase in small car spaces from 182 to 200.
- Minor reduction in size of the new business signage on Victoria Avenue from 15000 x 6000 to 16000 x 4500
- Extensive additional landscape and urban design work to improve the surrounding public domain. It is Vicinity's intention to upgrade the public footpath from building / property boundary to back of kerb along all boundary frontages as shown on the Lat27 drawings.

In light of the design amendments, DA2022/305 now seeks consent for:

- New retail facades and awnings on the ground floor fronting Victoria Avenue, Havilah Street and Archer Street.
- Additional façade openings provided on the upper levels fronting Victoria Avenue.
- Reduced car parking area on Level 3.
- Construction of a new commercial/office space at Level 3.
- Construction of end of trip facilities on ground level car parking area.
- Construction of 2 additional levels of car parking above the existing multi-level car park deck at the north-eastern corner of the site. Overall, there will be a reduction in car parking by 92 spaces.
- Internal reconfiguration and refurbishment of the Ground floor to Level 2 retail floors.
- Two new signage zones on Victoria Avenue and Archer Street.
- External landscaping works, including footpath upgrades surrounding the site.

- Amended retail centre trading hours with proposed operation 6am – midnight 7 days per week. Commercial / office trading hours between 8am and 6pm with restricted 24/7 access for tenants.
- Increase in GFA from 69,995m² to 90,106m².
- Flood mitigation measures on 5-7 Havilah Street.

DA 2022/305 seeks to replace the two prior consents issued over the land. Should consent be granted to this new application, the two prior consents and their approved architectural plans, landscape plans, traffic plans, waste management plan, sustainability scorecard, noise impact assessment and Arboricultural impact appraisal method and statement will be rescinded and replaced.

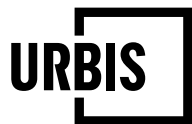
5. AMENDMENTS TO LODGED PLANS

As part of the DA lodgement on 26 September 2022, architectural plans and landscape plans were provided showing the proposed works for which consent was being sought. Due to the design changes listed in Section 4, it is necessary to replace the lodged architectural and landscape plans to show the additional works and site area. Table 1 shows the architectural plans that will replace the originally lodged architectural plans. Table 2 shows the lodged landscape plans and the landscape plans that will replace them.

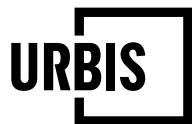
Table 1 Updated Architectural Plans

Plan reference	Title	Revision	Date
AR-MAK-DRG-DA001	Cover Sheet	19	22/03/2023
AR-MAK-DRG-DA1047	Red/Blue Overlay Basement B2 Plan	05	22/03/2023
AR-MAK-DRG-DA1048	Red/Blue Overlay Basement B1 Plan	05	22/03/2023
AR-MAK-DRG-DA1049	Red/Blue Overlay Lower Ground Plan	04	22/03/2023
AR-MAK-DRG-DA1049A	Red/Blue Overlay Lower Ground A Plan	04	22/03/2023
AR-MAK-DRG-DA1050	Red/Blue Overlay Ground Plan	05	22/03/2023
AR-MAK-DRG-DA1050A	Red/Blue Overlay Ground A Plan	04	22/03/2023
AR-MAK-DRG-DA1051	Red/Blue Overlay Level 1 Plan	05	22/03/2023
AR-MAK-DRG-DA1051A	Red/Blue Overlay Level 1A Plan	04	22/03/2023
AR-MAK-DRG-DA1052	Red/Blue Overlay Level 2 Plan	04	17/02/2023

Plan reference	Title	Revision	Date
AR-MAK-DRG-DA1052A	Red/Blue Overlay Level 2A Plan	05	22/03/2023
AR-MAK-DRG-DA1053	Red/Blue Overlay Level 3 Plan	05	22/03/2023
AR-MAK-DRG-DA1053A	Red/Blue Overlay Level 3A Plan	05	22/03/2023
AR-MAK-DRG-DA1054	Red/Blue Overlay Level 4 Plan	05	22/03/2023
AR-MAK-DRG-DA1147	Demolition Plan Level B2	04	22/03/2023
AR-MAK-DRG-DA1148	Demolition Plan Level B1	04	22/03/2023
AR-MAK-DRG-DA1149	Demolition Plan Level LG	05	22/03/2023
AR-MAK-DRG-DA1150	Demolition Plan Level LGA	04	22/03/2023
AR-MAK-DRG-DA1151	Demolition Plan Level 00	05	22/03/2023
AR-MAK-DRG-DA1152	Demolition Plan Level 00A	04	22/03/2023
AR-MAK-DRG-DA1153	Demolition Plan Level 01	05	22/03/2023
AR-MAK-DRG-DA1154	Demolition Plan Level 01A	02	22/03/2023
AR-MAK-DRG-DA1155	Demolition Plan Level 02	03	22/03/2023
AR-MAK-DRG-DA1156	Demolition Plan Level 02A	03	22/03/2023
AR-MAK-DRG-DA1157	Demolition Plan Level 03	03	22/03/2023
AR-MAK-DRG-DA-1200	Red/Blue Overlay Elevation – East	02	22/03/2023
AR-MAK-DRG-DA-1201	Red/Blue Overlay Elevation – West	02	17/02/2022
AR-MAK-DRG-DA1202	Red/Blue Overlay Elevation – South	03	22/03/2023
AR-MAK-DRG-DA1203	Red/Blue Overlay Elevation – North	03	22/03/2023
AR-MAK-DRG-DA2000	Site Plan	00	03/09/2022
AR-MAK-DRG-DA2007	Level B2	11	22/03/2023
AR-MAK-DRG-DA2008	Level B1	13	22/03/2023



Plan reference	Title	Revision	Date
AR-MAK-DRG-DA2009	Level LG	11	22/03/2023
AR-MAK-DRG-DA2009A	Level LGA	09	22/03/2023
AR-MAK-DRG-DA2010	Level 00	13	22/03/2023
AR-MAK-DRG-DA2010A	Level 00A	10	22/03/2023
AR-MAK-DRG-DA2011	Level 01	11	22/03/2023
AR-MAK-DRG-DA2011A	Level 01A	10	22/03/2023
AR-MAK-DRG-DA2012	Level 02	11	22/03/2023
AR-MAK-DRG-DA2012A	Level 02A	11	22/03/2023
AR-MAK-DRG-DA2013	Level 03	12	22/03/2023
AR-MAK-DRG-DA2013A	Level 03A	11	22/03/2023
AR-MAK-DRG-DA2014	Level 04 Roof	13	22/03/2023
AR-MAK-DRG-DA2200	Proposed Elevation – East	09	03/09/2022
AR-MAK-DRG-DA2201	Proposed Elevation – West	10	03/09/2022
AR-MAK-DRG-DA2202	Proposed Elevation – South	13	17/02/2023
AR-MAK-DRG-DA2203	Proposed Elevation – North	12	17/02/2023
AR-MAK-DRG-DA2260	Wall Sections	04	01/08/2022
AR-MAK-DRG-DA2261	Wall Sections	05	01/08/2022
AR-MAK-DRG-DA2262	Wall Sections	06	01/08/2022
AR-MAK-DRG-DA2263	Wall Sections	03	01/08/2022
AR-MAK-DRG-DA2300	Proposed Sections	06	03/09/2022
AR-MAK-DRG-DA2301	Proposed Sections	08	03/09/2022
AR-MAK-DRG-DA2302	Proposed Sections	06	03/09/2022
AR-MAK-DRG-DA2303	Proposed Sections	05	03/09/2022



Plan reference	Title	Revision	Date
AR-MAK-DRG-DA2304	Proposed Sections	06	03/09/2022
AR-MAK-DRG-DA2305	Proposed Sections	06	03/09/2022
AR-MAK-DRG-DA2400	GFA Plans	06	17/02/2023
AR-MAK-DRG-DA2401	GFA Plans	06	17/02/2023
AR-MAK-DRG-DA2402	GFA Plans	07	17/02/2023
AR-MAK-DRG-DA2403	GFA Plans	07	17/02/2023
AR-MAK-DRG-DA3801	Carpark Level 01	00	17/02/2023
AR-MAK-DRG-DA3802	Carpark Level 01A	00	17/02/2023
AR-MAK-DRG-DA3803	Carpark Level 02	00	17/02/2023
AR-MAK-DRG-DA3804	Carpark Level 02A	00	17/02/2023
AR-MAK-DRG-DA3805	Carpark Level 03	00	17/02/2023
AR-MAK-DRG-DA3806	Carpark Level 03A	00	17/02/2023
AR-MAK-DRG-DA6800	Shadow Studies	02	03/09/2022
AR-MAK-DRG-DA6801	Shadow Studies	02	03/09/2022
AR-MAK-DRG-DA6802	Shadow Studies	02	03/09/2022
AR-MAK-DRG-DA6803	Shadow Studies	02	03/09/2022
AR-MAK-DRG-DA6804	Shadow Studies	00	03/09/2022
AR-MAK-DRG-DA6805	Shadow Studies	00	03/09/2022
AR-MAK-DRG-DA6900	Photomontage	03	01/08/2022
AR-MAK-DRG-DA6901	Photomontage	05	17/02/2023
AR-MAK-DRG-DA6902	Photomontage	05	17/02/2023
AR-MAK-DRG-DA6903	Photomontage	04	01/08/2022
AR-MAK-DRG-DA6904	Photomontage	05	01/08/2022

Plan reference	Title	Revision	Date
AR-MAK-DRG-DA9001	Victoria Ave Awning Extent	08	17/02/2023
AR-MAK-DRG-DA9002	Archer Street Awning Extent	08	17/02/2023
AR-MAK-DRG-DA9003	Havilah Street Awning Extents	05	17/02/2023
AR-MAK-DRG-DA9050	Awning Types Section	06	17/02/2023

Table 2 Updated Landscape Plans

Title	Date	Plan reference	Revision
Level Lower Ground – Overall Plan	21/03/2023	DA-0001	E
Level Ground – Overall Plan	21/03/2023	DA-0002	E
Level One – Overall Plan	21/03/2023	DA-0003	E
Level Two – Overall Plan	21/03/2023	DA-0004	E
Level Three – Overall Plan	21/03/2023	DA-0005	E
Level Four – Overall Plan	21/03/2023	DA-0006	E
Elevation 01	21/03/2023	DA-1000	E
Elevation 02	21/03/2023	DA-1001	E
Section – Archer Street Mall Entry	21/03/2023	DA-2000	E
Section – Victoria Avenue Mall Entry	21/03/2023	DA-2001	E
Section – Havilah Street Mall Entry	21/03/2023	DA-2002	E
Sections – Car Park Façade Planters	21/03/2023	DA-2003	E
Sections – Level 03 Terrace 01	21/03/2023	DA-2004	E
Sections – Level 03 Terrace 02	21/03/2023	DA-2005	E
Sections – Level 03 Sky Street	21/03/2023	DA-2006	E
Archer Street – Detail Plan	21/03/2023	DA-3000	E

Title	Date	Plan reference	Revision
Victoria Avenue – Detail Plan	21/03/2023	DA-3001	E
Havilah Street – Detail Plan	21/03/2023	DA-3002	E
Level 03 Terrace – Detail Plan	21/03/2023	DA-3003	E
Level 03 Sky Street 01 – Detail Plan	21/03/2023	DA-3004	E
Level 03 Sky Street 02 – Detail Plan	21/03/2023	DA-3005	E
Material Palette	21/03/2023	DA-4000	E
Planting Palette	21/03/2023	DA-4001	E
Planting Schedule	21/03/2023	DA-4002	E
Soil Volume Plans – Level Lower Ground	21/03/2023	DA-5000	E
Soil Volume Plans – Level Ground	21/03/2023	DA-5001	E
Soil Volume Plans – Level One	21/03/2023	DA-5002	E
Soil Volume Plans – Level Two	21/03/2023	DA-5003	E
Soil Volume Plans – Level Three	21/03/2023	DA-5004	E
Soil Volume Plans – Level Four	21/03/2023	DA-5005	E
Planning Parameters	21/03/2023	DA-6000	E

6. SECTION 4.15 ASSESSMENT

The proposed amendments to DA2022/305 have been assessed in accordance with the relevant matters for consideration listed in Section 4.15 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

6.1. ENVIRONMENTAL PLANNING INSTRUMENTS

The proposed amendments to DA2022/305 has been assessed in accordance with the relevant environmental planning instruments being:

- Willoughby Local Environmental Plan 2012.

6.1.1. Willoughby Local Environmental Plan 2012

Willoughby Local Environment Plan 2012 (the LEP) is the primary environmental planning instrument applying to the site and the proposed development.

The site at 345 Victoria Avenue, Chatswood is zoned B3 Commercial Core in accordance with the LEP. The amendments to DA2022/305 would not alter the proposal's consistency with the objectives of the zone. The amendments will enable Chatswood Chase to continue operating as a 'commercial premises' which is an approved use of the site. The proposed amendments will not alter the overall built form.

The site at 5-7 Havilah Street, Chatswood is zoned B4 Mixed Use. The amendments to the site would not alter the proposal's consistency with the objectives of this zone. The amendments will enable this site to continue its use as a commercial premises. The proposed amendments include the replacement of the garage door and will not otherwise alter its built form.

Table 3 assesses the compliance of the amended development with relevant clauses of the LEP.

Table 3 LEP Compliance Table

Clause	Provision	Proposed	Complies
Clause 4.3 – Height of Buildings	Part of the 345 Victoria Avenue site facing Malvern Avenue is 40m. Part of the 345 Victoria Avenue site facing Victoria Avenue is 34m. 5-7 Havilah Street is 34m.	The amended proposal does not alter the maximum building height of below 34m in the part of the 345 Victoria Avenue site facing Victoria Avenue and below 40m in the part of the 345 Victoria Avenue site facing Malvern Avenue and is therefore compliant with the controls. The amended proposal does not alter the maximum building height of 5-7 Havilah Street.	Yes
Clause 4.4 – Floor Space Ratio	345 Victoria Avenue site is 4.5:1. 5-7 Havilah Street site is 4.5:1.	The amended proposal will increase the FSR of the 345 Victoria Avenue site from 1.85:1 to 2.55:1. This is a decrease of 0.01 from the lodged modification. The amended proposal will not alter the FSR of the 5-7 Havilah Street site.	Yes

Clause	Provision	Proposed	Complies
Clause 5.10 Heritage Conservation	N/A	<p>The 345 Victoria Avenue and 5-7 Havilah Street are not heritage listed. However, the site is in close proximity to local heritage items including:</p> <ul style="list-style-type: none"> ▪ Item 57: Our Lady of Dolours Church (including original interiors), (94A Archer Street, Chatswood) located to the west of the site; ▪ Item 58: House (including original interiors), (105 Archer Street, Chatswood) located to the north of the site; and ▪ Item 133: Community Hospital (256 Victoria Avenue, Chatswood) located to the south-east of the site. <p>The site is also located in proximity to North Chatswood (C10) Heritage Conservation Area which is located to the north and east of the sites.</p> <p>A Heritage Impact Statement was prepared as part of the lodged DA.</p> <p>The proposed amendments will have a negligible impact on the heritage of the surrounding heritage items and heritage conservation area.</p>	Yes
Clause 5.21 Flood Planning	Consent authority must be satisfied that the development does not adversely effect the flood function and	In response to Councils RFI (dated 24 January 2023), amendments to the proposal have been made including provision of a flood gate at 5-7	Yes

Clause	Provision	Proposed	Complies
	behaviour of the land and surrounding area.	<p>Havilah Street and retaining wall at the eastern boundary of 345 Victoria Avenue. An addendum Flood Modelling Report has been prepared that considers the impact of the proposal on 345 Victoria Avenue and 5-7 Havilah Street as well as the surrounding land. It confirms that the proposal meets the requirements of this clause and that appropriate flood mitigation measures are proposed such that the resultant flood impacts are acceptable.</p> <p>Refer to the Flood Modelling Report Addendum at Appendix I.</p>	
Clause 6.5 – Signage	Consent authority must be satisfied that the signage is associated with the development and will not have a visual amenity impact.	<p>The proposed amendments will reduce the size of business identification signage at the site. An assessment of the proposed business identification signage against the requirements of Schedule 3 of the <i>State Environmental Planning Policy (Industry and Employment) 2021</i> was undertaken as part of the lodged SEE. Despite the minor reduction in the area of the proposed signage, this assessment does not change. The proposed business identification signage will be suitably located and sized having regard to the commercial nature of the shopping centre and the Chatswood CBD.</p>	Yes
Clause 6.7 – Active Frontages	Active street frontages apply along Victoria	The proposed amendments will ensure that active street	Yes

Clause	Provision	Proposed	Complies
	Avenue and Archer Street.	frontages continue to occur along Victoria Avenue and Archer Street.	

Based on the above, it is considered that the amended proposed complies with the relevant provisions of the LEP.

6.2. DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

The Draft Willoughby Local Environmental Plan 2022 (Draft Willoughby LEP) was placed on public exhibition between 15 March 2022 and 7 June 2022. This draft EPI is therefore a matter for consideration under s4.15 of the EP&A Act.

The Draft Willoughby LEP seeks to increase the height and FSR provisions of the 345 Victoria Avenue and 5-7 Havilah Street sites to 90m and 6:1.

The proposed amendments are consistent with proposed amendments identified in the Draft Willoughby LEP.

The Draft Willoughby LEP also proposes to make amendments to the following clauses:

- Clause 6.7 – Active Street Frontages
- Clause 6.19 – Design Excellence
- New Clause 6.20 – Sun Access
- New Clause 6.21 – Urban Heat.

Given the proposed amendments relate to internal and external alterations to the existing buildings, it does not alter the proposal's consistency with the proposed amendments identified in the Draft Willoughby LEP.

6.3. WILLOUGHBY DEVELOPMENT CONTROL PLAN

Willoughby Development Control Plan 2006 (**the DCP**) provides detailed planning controls relevant to the site and the proposal. An assessment against the relevant controls of the amended proposal is detailed in Table 4.

Table 4 DCP Compliance Table

Clause	Proposed	Complies
Part C4 – Transport Requirements for Developments	A TIA was included as part of the lodged DA. An RFI response letter has been provided and it confirms that the proposed amount of car parking complies with Willoughby DCP.	Yes

Clause	Proposed	Complies
Part C6 – Access, Mobility and Adaptability	An amended Access Report has been provided in response to Councils RFI. It concludes the proposal and proposed amendments can provide equitable access for all customers and employees at Chatswood Chase and will comply with established criteria.	Yes
Part C17 – Awnings, Public Road Encroachment and Use of Public Footways	The proposed 2m deep awnings will provide some weather protection for users of the Chatswood Chase Shopping Centre along Victoria Avenue. An awning study has been undertaken (Appendix L) which demonstrates that a deeper awning along this frontage will not improve weather protection for pedestrians.	Yes
Part E1.1 – Frontages	The proposed amendments will refine the pedestrian entrance on Victoria Avenue to simplify and improve the existing façade and accessibility. It further opens the visual connection between the public domain and the retail shop fronts and improves pedestrian access at the main access to Chatswood Chase Shopping Centre.	Yes
Part E1.6 – Landscaping Requirements	<p>Amended landscape plans have been provided. As detailed in the Council RFI response table and in Section 6.6.4, the material specifications and plant species within the public domain will be agreed with Council during detailed design phase and prior to issue of a Construction Certificate for the public domain works.</p> <p>In this regard, the following condition of consent is proposed in respect to public domain works.</p>	Yes

Clause	Proposed	Complies
	<p>Public Domain Works</p> <p><i>The proponent shall upgrade the public domain (from property boundary to back of kerb) along the property's street frontages. Materials and planting specifications for public domain works interfacing with the property boundary shall be agreed with the Council's Urban Design Specialist prior to issue of a Construction Certificate for the public domain works.</i></p>	
Part E 1.13 – Awnings, Tree Planting and Paving	<p>Amended landscape plans have been provided. As detailed in the Council RFI response table and in Section 6.6.4, the material specifications and plant species within the public domain will be agreed with Council during detailed design phase and prior to issue of a Construction Certificate for the public domain works.</p> <p>The awnings will be designed to maintain the same alignment of existing awnings, reinforce the continuity of the street and weather protection for pedestrians. An awning study has been undertaken (Appendix L) which demonstrates that a deeper awning along this frontage will not improve weather protection for pedestrians.</p>	Yes

6.4. PLANNING AGREEMENTS

No planning agreements are relevant to this proposal.

6.5. REGULATIONS

This application has been prepared in accordance with the relevant provisions of the *Environmental Planning and Assessment Regulations 2021*.

6.6. LIKELY IMPACTS OF THE PROPOSAL

The amended development of DA2022/305 has been assessed considering the potential environmental, economic and social impacts as outlined below.

6.6.1. Built Form

The proposed amendments will decrease the GFA on 345 Victoria Avenue by 269m² from the lodged DA to 90,106m². This is a result of an interrogations of areas to be included or excluded and removal from GFA calculation of void spaces for communal vertical circulation. This is an overall increase in GFA of approximately 20,111m² from the current building.

The proposed amendments are design refinements including the amended Victoria Avenue entrance and therefore do not alter the assessment of built form or overshadowing undertaken in the original SEE prepared for this application.

6.6.2. Car Parking

The amended proposal will reduce the overall amount of parking spaces on 345 Victoria Avenue from 2,441 to 2,349 (a reduction of 92 spaces). It will also increase the amount of accessible parking spaces from 58 to 60 and number of small car spaces from 182 to 200. This is a result of further structural design refinements.

The proportion of on-site accessible parking will increase from 2.37% to 2.55%. Whilst this falls short of the 3% required by the Willoughby DCP (71 spaces), it significantly exceeds the National Construction Code requirement (34 spaces). This is considered appropriate and consistent with the objectives of the relevant statutory guidelines.

The existing car park has a rate of 7.5% small car spaces. The proposal will increase this to 8.5%. This increase is minor and remains well below the broadly accepted 10% small car space threshold in publicly accessible car spaces. Whilst the Willoughby DCP does not include specific requirements regarding small car spaces, several comparable DCPs do including Lane Cove DCP which recommends that the small car spaces can be a maximum of 10% of total on-site car parking supply. Therefore, the amount of small car spaces is considered acceptable. Each small car space will remain at 2.7m wide and shortened to 5m to remain compliant with established Australian Standards.

6.6.3. Stormwater and Flooding

The proposed amendment includes flood mitigation measures including a retaining wall (37m length x 1.2m height) between the boundary of 345 Victoria Avenue and 1-3 Havilah Street and a new sliding garage door with a 1m high solid panel for flood amelioration at the car park entrance to 5-7 Havilah Street. The additional flood mitigation measures have been provided in response to Council's RFI.

An Addendum Flood Modelling Report has been prepared which confirms that the proposed amendments and works will not have a detrimental impact for all events up to the PMF on the surrounding properties (including 5-7 Havilah Street) and that the Chatswood Chase Shopping Centre will need to continue to manage the flood water entering the basement currently affecting the site. A Structural Statement has also been provided which confirms that the 5-7 Havilah Street building has sufficient capacity to resist the applied loads from flood events identified in the Addendum Flood Modelling Report. For further details, refer to the Addendum Flood Assessment Report at Appendix I.

6.6.4. Landscaping

The proposed amendments include additional landscape and urban design work to improve the surrounding public domain. As detailed in the Council RFI response table, it is proposed that footpaths be upgraded between the property boundary to back of kerb. The material specifications and plant species within the public domain will be agreed with Council during detailed design phase and prior to issue of a Construction Certificate for the public domain works. It is intended that the paving material along Victoria Avenue and Havilah Street will be a light-coloured natural stone, emphasising these main street frontages. Footpath materials along Havilah Street will comprise a concrete path to reflect this lower order street frontages.

In this regard, the following condition of consent is proposed in respect to public domain works.

Public Domain Works

The proponent shall upgrade the public footpath from property boundary to back of kerb. Materials and planting specifications for public domain works shall be agreed with Council's Urban Design Specialist prior to issue of a Construction Certificate for the public domain works.

6.6.5. Signage

The proposed business identification signage has reduced in size from that originally proposed. Therefore, the proposed impact remains the same and it will have a negligible impact on the amenity of the surrounding area.

6.6.6. Other Impacts

The proposed amendments will not have any additional natural environmental, social or economic impacts than that discussed in the lodged DA2022/305 submission.

6.7. SUITABILITY OF THE SITE

The site is considered highly suitable for the amended development for the following reasons:

- The proposed amendments to Chatswood Chase maintain its primary use as 'Commercial Premises' and so do not affect the centre's ability to achieve the objectives or permitted uses of the B3 Commercial Core zone.
- The proposed amendments to 5-7 Havilah Street maintain its primary use as a commercial building.
- All proposed changes are in keeping with the current character and scale of the Chatswood Chase building.

6.8. SUBMISSIONS

It is acknowledged that submissions arising from the re-notification of this application will need to be re-assessed by Council.

6.9. PUBLIC INTEREST

The proposed amendments to DA2022/305 is considered within the public interest for the following reasons:

- The proposal is consistent with the relevant local planning controls.
- No adverse environmental, social or economic impacts will result from the proposal.

7. CONCLUSION

The proposed amendments to DA2022/305 have been assessed in accordance with Section 4.15 of the EP&A Act and it is considered appropriate for the site and locality as summarised below:

- The proposed amendments ensure the proposal is of minimal environmental impact
- The proposed amendments demonstrate that the proposal will be consistent with the character of the Chatswood CBD
- The proposed amendments ensure the proposal is permitted with consent in the B3 Commercial Core zone and B4 Mixed Use
- The proposed amendments demonstrate that the proposal is in the public interest
- The proposed amendments ensure the proposal is consistent with the applicable State and local planning controls and policies
- The proposed amendments demonstrate that the proposal will result in positive economic impacts.

Having considered all relevant matters, we conclude that the proposed development is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

Yours sincerely,

A handwritten signature in black ink, appearing to read "JParker", written in a cursive style.

Jacqueline Parker
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